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PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted with Initial Filing       Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	MLF600.06
First Named Inventor	Carrell W. Ewing
<b>COMPLETE IF KNOWN</b>	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

REMOTE POWER CONTROL SYSTEM THAT VERIFIES WHICH DEVICES  
WILL BE SHUT-DOWN BEFORE SUCH ACTION IS COMMITTED TO

the specification of which

(Title of the Invention)

Is attached hereto

OR

was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of América, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/>	<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
<input type="text"/>	<input type="text"/>	<input type="checkbox"/>

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box →

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## DECLARATION Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (If applicable)
08/685,436	07/23/96	

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  Customer Number  →  Place Customer Number Bar Code Label here  
 OR  
 Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Richard B. Main	33,258		

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to:  Customer Number  OR  Correspondence address below

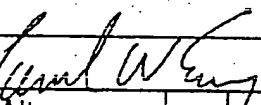
Name	Richard B. Main				
Address	ShellDrake Limited				
Address	24441 Mines Road				
City	Livermore	State	CA	ZIP	94550
Country	USA	Telephone	408-897-3100		Fax 408-897-3102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned inventor

Given Name (first and middle if any) Family Name or Surname

Carrell W. Ewing

Inventor's Signature						Date	9/13/99
Residence: City	Palo Alto	State	CA	Country	USA	Citizenship	USA
Post Office Address	585 Washington						
Post Office Address							
City	Palo Alto	State	CA	ZIP	94301	Country	USA

Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

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Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION**
**ADDITIONAL INVENTOR(S)**  
 Supplemental Sheet  
 Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Family Name or Surname				
Andrew J.			Cleveland				
Inventor's Signature	<i>Andrew J Cleveland</i>						Date
Residence: City	San Martin	State	CA	Country	USA	Citizenship	USA
Post Office Address	12467 Creek View Court						
Post Office Address							
City	San Martin	State	CA	ZIP	95046	Country	USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Family Name or Surname				
Inventor's Signature							Date
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Family Name or Surname				
Inventor's Signature							Date
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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MAIL STOP PATENT

FILING RECEIPT

Attorney Docket No.: 40026-X

Date: September 22, 2003

Attorney: RCR

Inventor: Carrel EWING, et al.

Serial No. 09/375,471

Title: REMOTE POWER CONTROL SYSTEM

DOCUMENTS BEING FILED HEREWITH:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- 1) Transmittal Letter;
- 2) Revocation and Power of Attorney from Assignee;
- 3) Statement Under 37 CFR 3.73(b);
- 4) Copy of Assignment from Inventors to Assignee.

NATH & ASSOCIATES PLLC  
1030 Fifteenth Street, N.W.  
Sixth Floor  
Washington, D.C. 20005  
Tel: (202) 775-8383  
Fax: (202) 775-8396

FILE CHECK

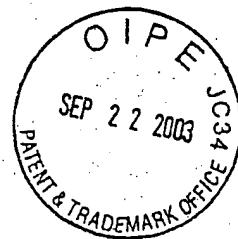
Prepared by: SW

Approved by: MCB

Copy reviewed: SW

Filed by: JR

RCR/MCB/jnr:RevPOA.FR



MAIL STOP PATENT  
Attorney Docket No.: 40026-X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Carrel EWING, et al.

Serial No.: 09/375,471

Group Art Unit: 2157

Filed: August 16, 1999

Examiner: A. CALDWELL

For: REMOTE POWER CONTROL SYSTEM

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. box 1450  
Alexandria, VA 22313-1450

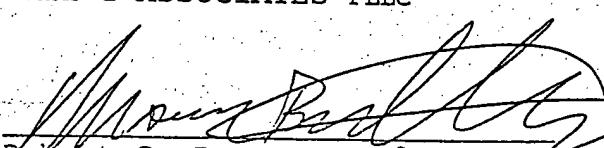
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Revocation and Power of Attorney from Assignee;
- 3) Statement Under 37 CFR 3.73(b);
- 4) Copy of Assignment from Inventors to Assignee.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

By:

  
Robert C. Ryan  
Registration No. 29,343  
Marvin C. Berkowitz  
Registration No. 47,421  
Customer No. 20529

Date: September 22, 2003

NATH & ASSOCIATES PLLC

1030 15<sup>th</sup> Street, NW - 6<sup>th</sup> Floor

Washington, D.C. 20005

Telephone: 202-775-8383

Faxsimile: 202-775-8396

RCR/MCB/jnr:RevPOA\_trans

SENT BY: SERVER TECHNOLOGY;  
07/08/2003 10:45 775824 17

7752842065; JUL-9 4:39PM;  
ROBERT RYAN

PAGE 12/17  
14.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Attorney Docket No. 40026-x)

Applicants: Ewing et al.

Serial No.: 09/375,471

Group Art Unit 2154

Filed: August 16, 1999

Examiner A. Caldwell

For: REMOTE POWER CONTROL SYSTEM

REVOCATION AND POWER OF ATTORNEY

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Commissioner:

The Assignee hereby revokes any previous Power of Attorney and appoints Gary M. Nath, Reg. No. 26,965, Harold L. Novick, Reg. No. 26,011, Todd L. Juneau, Reg. No. 40,669, Robert C. Ryan, Reg. No. 29,343, Lee C. Heiman, Reg. No. 41,827, Jerald L. Meyer, Reg. No. 41,194, Joshua B. Goldberg, Reg. No. 44,126, Marvin C. Berkowitz, Reg. No. 47,421; Shelden McGee, Reg. No. 50,454, and Tanya E. Harkins, Reg. No. 52,993, as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected herewith.

Send correspondence to: Robert C. Ryan  
Nath & Associates PLLC  
1030 15<sup>th</sup> Street, N.W.  
6<sup>th</sup> Floor  
Washington, D.C. 20005

Direct telephone calls to: Robert C. Ryan at 775-824-0104 or 202-775-8383.

SERVER TECHNOLOGY, INC., ASSIGNEE

By:

Brenda W. Ewing  
Name (print or type)

R. Ewing  
Signature

Date: 7-9-03

Executive Vice President  
Title (print or type)

07/08/2003 10:45 775824.77

ROBERT RYAN

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Docket No. 40026-X

STATEMENT UNDER 37 CFR 3.73(b)

Applicants: Carrel W. EWING, et al.  
Serial No. 09/375,471 Filed: August 16, 1999  
Entitled:  
REMOTE POWER CONTROL SYSTEM

Server Technology, Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or

2.  an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_ OR for which a copy thereof is attached; OR

B.  A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet; or

C.  Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

7-9-03

Date

Signature

Robert W. Ewing  
Typed or Printed NameExecutive Vice President  
Title

Server Technology, Inc.

Page One of Two

MS ASSIGNMENT RECORDATION SERVICES  
Attorney Docket No.: 40026-X

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION given to Carrel W. EWING and Andrew J. CLEVELAND, hereinafter referred to as the ASSIGNOR(S), who has/have invented certain new and useful REMOTE POWER CONTROL SYSTEM referred to as the invention, for which I/we has/have executed an application for Letters Patent filed in the United States Patent and Trademark Office on August 16, 1999, Serial No. 09/375,471.

WHEREAS, Server Technology, Inc., a corporation organized and existing under the laws of the country/state of Nevada whose post office address/business address is 1040 Sandhill Drive, Reno, Nevada 89511, hereinafter referred to as the ASSIGNEE, desires to acquire the entire right, title and interest for the United States and elsewhere throughout the world in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof.

NOW, WITNESSETH THIS that for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, said ASSIGNOR(S) hereby assign(s), sell(s) and transfer(s) to said ASSIGNEE, its assigns and legal representatives, the entire right, title and interest for the United States and elsewhere throughout the world, in and to said invention and application, including any and all divisions and continuations thereof, all rights of priority under the terms of the International Convention for the Protection of Industrial Property, and any and all Letters Patent which may be granted thereon, including any and all renewals, reissues and prolongations thereof, with all the rights, powers, privileges, and advantages in any way arising from or pertaining thereto, for and during the term or terms of any and all such Letters Patent when granted, including any and all renewals, reissues and prolongations thereof, for the use and benefit of said ASSIGNEE and its assigns and legal representatives, in as ample and as beneficial a manner for all intents and purposes as said ASSIGNOR(S) might or could have held and enjoyed the same had this assignment not been made.

SENT BY: SERVER TECHNOLOGY;  
07/03/2003 10:45 7758242065

7752842065;

JUL 23 2003 4:55PM; PAGE 3/5

ROBERT RYAN

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Page Two of Two

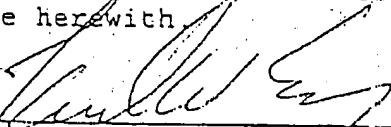
MS ASSIGNMENT RECORDATION SERVICES  
Attorney Docket No.: 40026-X

ASSIGNMENT

ALSO, said ASSIGNOR(S) hereby agree(s) to execute all papers necessary to file said applications in the United States and elsewhere throughout the world, and to assign the same to said ASSIGNEE, or any assignee acquiring title to said invention, and to execute any other papers that may be needed in connection with filing said application and securing any and all Letters Patent thereon.

AND said ASSIGNOR(S) authorize(s) and request(s) the Commissioner of Patents to issue a Letters Patent on said application, and on any and all divisions and continuations thereof, to said ASSIGNEE, its assigns and legal representatives, in accordance herewith.

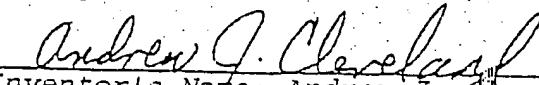
By:

  
Inventor's Name: Carrel W. Ewing  
(first or first inventor)

7-22-03

Date

By:

  
Inventor's Name: Andrew J. Cleveland  
(second inventor)

7-22-03

Date